

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CAPITOL AGGREGATES, INC., a
Texas Corporation,
Plaintiff

VS.

IPEC, INC., a Delaware Corporation,
Defendant.

§
§
§
§
§
§
§
§

CIVIL ACTION 5:23-cv-00719-JKP

DEFENDANT IPEC, INC.'S ADVISORY TO THE COURT

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Defendant IPEC, Inc. ("Defendant") files this Advisory to the Court.

1. On July 22, 2024, Defendant presented Plaintiff Capitol Aggregates, Inc. ("Plaintiff") with an Offer of Judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure.

2. The deadline for Plaintiff to accept the Offer of Judgment is August 5, 2024.

WHEREFORE, Defendant IPEC, Inc. prays that the Court take notice of this Advisory to the Court.

Respectfully submitted,

RAY | PEÑA | McCHRISTIAN, P.C.
9601 McAllister Freeway, Suite 901
San Antonio, Texas 78216
(210) 341-3554 // Fax (210) 341-3557

/s/ Merritt Clements

Merritt Clements
State Bar No. 04369500
Federal Bar No. 15871
mclements@raylaw.com
Katherine P. Estrada
State Bar No. 24105109
kestrada@raylaw.com

Attorneys for Defendant IPEC, Inc.

CERTIFICATE OF SERVICE

I certify that on July 22, 2024, a true and correct copy of the foregoing document was served on counsel listed below in accordance with the Federal Rules of Civil Procedure:

Harry Z. Rippeon, III
Smith, Currie & Hancock, LLP
2700 Marquis One Tower
245 Peachtree Center Avenue NE
Atlanta, GA 30303-1227
zrippeon@smithcurrie.com

/s/ Merritt Clements

Merritt Clements